

## COURTS UPHELD

Supreme Court Gives Opinions in Four Cases.

## JUDGE UPHELD IN ALL

Complication Caused by Two James Malloys.

Case of Agnes J. Twigg vs. Board of Land Commissioners Important Opinions Are Given.

Opinions were handed down in supreme court yesterday. Each of the cases affirmed the decision of the lower court and all were written by Justice Haskin and Justice Barth.

The decision of the lower court is affirmed in the case of Agnes J. Twigg vs. Board of Land Commissioners. The plaintiff brought the action to obtain a writ of mandate to compel the board to award a piece of land 17x4-10 rods, in Lake county, and to credit her the value of certain improvements.

The decision was rendered in favor of the plaintiff, directing the defendant board to recognize the plaintiff's right to purchase the land and to credit her with the value of her improvements.

The defendant appealed to the Supreme court. The opinion states: "The court of the United States in its certain provisions of an act known as the 'township act' is a case wherein practically the principles of law were involved. It was held in this case, that an owner of a town lot may sell his land and the purchaser acquire such an interest as will entitle him to a judgment for the value of the land in the hands of the plaintiff and in the hands of the defendant."

The case of Thomas Busby vs. the Gold Mining Company, appeal from the lower court, is also affirmed. The suit is one in which the plaintiff sought to recover the value of a mine which was leased to the defendant by its special instance and the court found the defendant in the plaintiff and the defendant.

The supreme court finds no reversible error in the records and affirms the decision of the lower court. The supreme court also affirms the decision of the lower court in the case of Henry vs. the Commercial Bank of Ogden, Utah. The case was complicated one. It appears that M. Cashman deposited with the bank \$375 for the credit of James Malloy of Ogden. The bank by mistake notified one James Malloy of Denver of the credit. The James Malloy received the draft and the plaintiff identified the man and his signature upon the back of the draft.

James Malloy turned up in Ogden and the mistake was discovered. The draft was protested in New York and returned to the Denver bank and the plaintiff charged against the plaintiff. The James Malloy of Ogden had disappeared and the plaintiff brought suit against the Ogden bank.

The court found the issues in favor of the plaintiff and the defendant appealed from the decision. The plaintiff is the appellant in the case of the Monmouth Pottery Company vs. H. C. White. The case was brought by the plaintiff from the District court at Ogden, where the action was brought to recover \$361.37 alleged to be due for pottery and other wares by plaintiff to defendant. The plaintiff maintained that he had not the claim of goods that had been refused to pay for the amount asked.

The court rendered judgment in favor of the plaintiff for \$189.34. The plaintiff thereupon moved for a new trial, which was overruled by the court. The appeal was then prosecuted.

## WANTS DIVORCE

WOMAN HUSBAND IN PRISON

R. Clark, the young man convicted of grand larceny last July and sentenced to four years' term in the penitentiary, is made defendant in an action brought in the District court yesterday by Clara E. O. Clark. The divorce is sought on the ground of non-support, and the plaintiff alleges that her husband has been a felon.

The plaintiff alleges that the defendant beat and struck the plaintiff and that he is a cruel and inhuman man. It is alleged that the defendant refused to provide for his wife with necessary expenses of life at any time during their marriage, which took place in the city on February 12, 1900. The plaintiff has one child, of which the defendant is the father. She also asks for the custody of the child.

## A Handsome Breakfast Jacket.



DESIGN BY MAY MANTON.

COFFEE COAT 4476.

Coffee or breakfast coats are peculiarly attractive made with the round necks and elbow sleeves that mark the season. This one is made of pale green elabro, with shoulder and sleeve frills of India silk edged with cream lace applique and stole of Persian banding, over black, edged with the silk embroidered with black knots, the whole color scheme being peculiarly rich and effective. The coat is loose but perfectly graceful while the shaped sleeve frills and the stole finish make notable features of the latest styles. Material of one sort can be used when a simpler effect is desired and the many soft and attractive washable fabrics are quite as appropriate as wool or silk. To make the coat for a woman of medium size will be required three yards of material 27 to 32 or 1 1/2 yards 44 inches wide, with two yards of silk for frills and 2 1/2 yards of Persian banding for stole and sleeve bands. A May Manton pattern, No. 4476, sizes 32 to 40, will be mailed to any address by the Fashion department of this paper on receipt of 10 cents.

Send to .....

Size .....

Pattern No. .... (Ten Cents Inclosed.)

As orders are filled from the East, it will require about 10 days from receipt of order to receive patterns.

support and maintenance. The parties intermarried at Stockholm, Sweden, on April 6, 1898. The plaintiff asks that she be permitted to resume her maiden name of Johanna C. Arfstrom.

## Court Notes.

The trial of the case of Charles S. Breech vs. M. T. Gibson was concluded in Judge Stewart's division of the District court yesterday afternoon. The case was submitted to the jury with instructions to bring in a sealed verdict at 10 o'clock this morning.

Suit was brought in the District court yesterday by William and Ephraim Cedarist against Miland Knight, et al., doing business under the firm name of Knight & Co. The plaintiffs allege that judgment was secured by them against John A. Strong for \$322.41 and that the above defendants are indebted to Strong in the sum of \$574.55. Judgment for the latter amount is therefore asked by the plaintiffs from the defendants.

Two decrees of divorce were granted by District Judge Stewart yesterday. A decree of separation was awarded to May Miller from her husband, William Miller, on the ground of failure to provide with the common necessities of life. The couple were married in this city June 26, 1902. Mary Masters was divorced from John R. Masters on the ground that the husband has been convicted of a felony. They were married November 12, 1902, in this city.

Frank Ewing was tried and acquitted of the charge of assault with a deadly weapon with intent to do bodily harm in the criminal division of the District court yesterday. A number of witnesses were examined by both the prosecution and the defense. After the State had introduced all its testimony the defendant moved that the jury be instructed to return a verdict of acquittal. The motion was overruled by the court. The jury after being out about an hour returned a verdict of not guilty.

Mrs. Mary A. Shafer accuses Mrs. Minnie Lockwitz of unlawfully withholding furniture and other household goods of hers to the value of \$750. The property is said to be in the Loomis rooming-house at Murray conducted by Mrs. Lockwitz. Mrs. Shafer says the other woman has refused to return the property, and she instituted suit in the District court yesterday to recover the goods. In case the goods can not be recovered the plaintiff asks that she be given judgment for \$750. She also asks \$500 damages for the detention of the property.

Attorney M. M. Kaighn was yesterday awarded \$150 from the Fannie M. Little estate for legal services rendered in the preparation of guardianship papers, etc. Mr. Kaighn sought to obtain \$500 for his services, and held that he had been employed to handle the work by Alice S. Little. This party maintained that she had not retained him as the attorney for the estate, and that he should not look to her for his compensation. Both sides of the matter were explained before Judge Hall in the District court yesterday, and he held that the services in part, at least, should be paid for out of the estate and awarded the payment of the above amount.

Chicago, Feb. 9.—Lying side by side in bed, 88 years old, David Hinchcliffe and his wife were found today, burned to death. The fire was caused by the explosion of a lamp.

## A New Wrinkle, (No. 3.)

## Cream of Celery Soup

One cup of Stock made from Armour's Extract of Beef.  
3 cups of celery cut in inch pieces 3 tablespoonsful flour  
2 cups boiling water 2 cups milk  
1 slice onion salt and pepper 2 tablespoonsful butter

Parboil celery in water ten minutes; drain; add stock; cook until celery is soft and rub through sieve. Scald onion in milk; remove onion; add milk to stock; bind with butter and flour; season with salt and pepper.

Above is taken from edition de luxe "Culinary Wrinkles" (just out) which will be sent postpaid to any address on receipt of a metal cap from jar of Armour's Extract of Beef.

ARMOUR & COMPANY, CHICAGO.

## Armour's Extract of Beef

The Best Extract of the Best Beef

Quality, age, taste, purity and flavor. All the requisites required in good whiskey are found in R. & L. Standard. The exclusive distributors are

RIEGER & LINDLEY,  
"The Whiskey Merchants."

**\$3 A MONTH \$3**  
MEDICINES FREE  
FOR ALL CATARRHAL CHRONIC DISEASES.

This Special Rate Applies to All  
Until Further Notice . . . . .

**WE ALSO CURE** All Chronic Diseases of the  
Lungs, Stomach, Kidneys and Liver and Diseases of  
Women—Nervous and Private Disorders.

In All Private Diseases of Men, to Show Our Good Faith and Skill, we are  
Always Willing to Wait For Our Fee Until a Cure is Effect.

**Contracted Disorders**  
Be sure your cure is thorough. Not one of our patients has ever had a relapse after being discharged as cured, and we cure in less time than the ordinary course of treatment require.

**Specific Blood Poison.**  
No dangerous minerals to drive the virus to the interior, but harmless, blood-cleansing remedies, that remove the last poisonous taint.

**What "Weakness" is and How We Cure It.**  
So called "Weakness" in men is merely a symptom of chronic inflammation in the prostate gland, brought on by early dissipation or by the improper treatment of some contracted disease. A complete and radical cure is, therefore, a question of restoring the prostate gland to its normal size, and this we accomplish promptly and completely without the use of internal remedies. Our treatment is a local one entirely. It is original and scientific, and has been proven absolutely effective by thousands of tests. We are convinced that by no other methods can full and permanent restoration of strength and vigor be accomplished.

**VARICOCELE.**  
Absolutely painless treatment that cures completely. Invaluable our method. It is the only thoroughly scientific treatment for this disease being employed.

**Spermatorrhea, Stricture, E. P. L., Lost Manhood, Hypospadias, Seminal Weakness, etc., are also among the diseases we cure to stay cured.**

**HOME CURES BY MAIL.**  
We make a specialty of curing patients by mail. We have cured thousands who have never seen us personally. If you are afflicted and cannot call, write us for advice and free symptom blanks and we will gladly advise you regarding your case, free of charge.

Office Hours: 9 a. m. to 5 p. m.; Evenings, 7 to 9; Sundays and Holidays 10 a. m. to 12.

**DRS. SHORES & SHORES, Expert Specialists,** 55 W. 2nd South St., Salt Lake City, Utah.

**MANHOOD RESTORED "CUPIDENE"**

This great Vegetable Vitalizer, the prescription of a famous French physician, will quickly cure you of all nervous or diseases of the generative organs, such as Lost Manhood, Insomnia, Pain in the Back, Sexual Emotions, Nervous Debility, Pimples, Eruptions to marry, Exhausting Hyaline, Varicocele, and Constipation. It stops all losses by day or night. Prematurely, which if not checked leads to sterility and all the horrors of impotence. CUPIDENE cleanses the liver, the kidneys, CUPIDENE strengthens and restores. The reason sufferers are not cured by doctors is because ninety per cent are treated with Prostatitis. CUPIDENE is the only known remedy to cure without an operation. 100% satisfaction. A written guarantee given and money returned if six boxes do not effect a permanent cure. \$1.00 a box; six for \$5.00 by mail. Send for free circular and testimonial.

**GODDE-PITTS DRUG CO., Salt Lake City, Utah, Agents.**

## CASTORIA

For Infants and Children.

The Kind You Have Always Bought  
Bears the Signature of *Charles H. Fletcher.*

**Royal Baking Powder**  
ABSOLUTELY PURE

1904 S. W. 11111 \$1.75 kid shoes, size 12 and 13—	Boys' Best \$1.75 shoes, sizes 1, 2, 3, 4 and 5—	Women's Best \$1.75 felt leather foxed shoes—	<b>HIRSCHMAN'S</b> SHOE PEOPLE	
350 pairs; a big Eastern clean-up of infants' shoes, value \$1.00, all sizes, now—	290 pairs of child's 5 to 8 hand-turned shoes, value \$1.25, at—	237 pairs of Misses' and child's kid or calf shoes, sizes 3 to 7, fit age 5 to 13, value \$1.25, at—	267 pairs of men's Goodyear welt \$2.50 shoes, kid lined, a cracker-jack value, all sizes—	Women's Best \$1.75 felt Julietts, elastic side—
<b>98c</b>	<b>\$1</b>	<b>98c</b>	<b>\$2.35</b>	<b>75c</b>
<b>55c</b>	<b>80c</b>	<b>75c</b>	<b>\$2.35</b>	<b>75c</b>

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**CIGARETTES**

**Biggest Seller in the World**

**FREE NEW PICTURES**

25 dainty maids of as many nations, each holding her country's emblem. Full of snap and go, the finest set of pictures we have ever issued—you know what that means. Full set free for 60 Turkish Trophies coupons.

**All Turkish Tobacco 10 for 10c.**

**Sanatogras New York**

ESTABLISHED 1864

**Fauerbach & Bro**

**ONE PRICE TO ALL! NEVER UNDERSELL**

The Enthusiasm Shown by Our Customers is Only Natural, For the Sharp Reductions and Splendid Values We Give.

Following are interesting Specials for Thursday Afternoon, from 2 to 5 o'clock.

In consequence of the severity of the weather last Monday and the difficulty experienced by many of our customers to get down town to our Long Cloth Sale, we propose to be magnanimous enough and give them another chance. We offer for Thursday afternoon from 2 to 5 o'clock another lot of 50 pieces.	<b>Gents' Furnishing Department SPECIAL.</b> Thursday afternoon from 2 to 5 p. m. Gents' Dress Shirts in soft and stiff bosoms, all sizes, regular 75c and \$1 values, for less than half price for three hours only—	<b>A BIG HOSIERY DRIVE</b> Thursday, 2 to 5 o'clock. <b>Fleeced Cotton Hose</b> For Boys and Girls, all sizes, a fine ribbed, full, regular made quality fast black for Girls and a heavy seamless number for Boys, sizes 6 to 10, splendid 25c values, on sale at—
<b>White English Cloth</b> The genuine nain-sook finish, 12 yds in each bolt, value \$2.10, as a special for the above 3 hours, 1 bolt to a customer, at—	<b>\$1.45</b>	<b>35c</b>
<b>White English Cloth</b> The genuine nain-sook finish, 12 yds in each bolt, value \$2.10, as a special for the above 3 hours, 1 bolt to a customer, at—	<b>\$1.00</b>	<b>17 1/2c</b>

**TO CLEAN THEM OUT**

We Offer the Greatest Suit Bargains on Earth—No Exceptions.

As we must have room for our new Spring Goods. Two hundred and fifty Suits of our entire Winter stock left, which we offer for your inspection at prices cut almost half the manufacturer's cost. YOUR GRANDEST OPPORTUNITY. COME EARLY.

CHOICE OF MEN'S \$7.50, \$9.00, \$10.00 and \$12.50 SUITS	<b>\$5.45</b>
CHOICE OF MEN'S \$12.00, \$15.00, \$18.00 and \$20.00 SUITS	<b>\$6.85</b>

See Window Display **Siegal's** 61-63-65 MAIN STREET

**WATCH REPAIRING. DIAMONDS MANUFACTURING JEWELERS.**

We are showing one of the largest and finest collections of the following, at special low prices:

Diamond Brooches	Diamond Scarf Pins
Diamond Earrings	Diamond Cuff Buttons
Diamond Necklaces	Diamond Studs
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And many other Diamond Novelties, at special prices.

**M. & N. LICHTENSTEIN DIAMOND MERCHANTS**

EXPERT 214 MAIN, OPP. KENYON. DIAMOND OPTICIANS. Mail Orders Promptly Attended To. IMPORTERS.

**BAD DEBTS COLLECTED EVERYWHERE**

**MERCHANTS PROTECTIVE ASSOCIATION**

**SCIENTIFIC COLLECTORS—BAD DEBTS.**

TOP FLOOR COMMERCIAL BLOCK. *Frank J. Cook* GENERAL MANAGER. "SOME PEOPLE DON'T LIKE US."

**DOCTOR COOK CURES DISEASES OF MEN**

**Prostatic Troubles**  
permanently cured, no matter how long standing the disease, in from 5 to 25 days.

**Stricture**  
cured in 15 days, without cutting, pain, drugs or detention from business.

**Wasting Weakness**  
Time of cure, 10 to 20 days, by my original, very simple remedy (used exclusively by me).

**Private Diseases**  
cured in 3 to 10 days, without the use of poisonous drugs.

Consultation is free and invited, and in consulting you may be sure that nothing that science can devise or skill perfect has been left undone to afford you a speedy, safe and permanent cure.

WRITE me in full confidence, explaining your troubles as they appear to you, and receive by return mail my honest and candid opinion of your case.

**COOK MEDICAL CO.,** 118 South Main, Salt Lake City. Office hours: 9 a. m. to 5 p. m.

**Nervous Debility**  
Cures quick and radical in 20 to 30 days, by my own famous method.

**Varicocele**  
Completely and permanently cured by my new process; all disagreeable symptoms soon disappear completely and forever; it is safe, painless and bloodless. An absolute cure guaranteed.

**Blood Poison**  
Every vestige of poison removed from system without aid of mercury or potash.